



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
COMMISSION ON HUMAN RIGHTS**

Commission Meeting: May 8, 2008

Commissioners

Present

**Mario Acosta-Velez, Vice-Chair
Sonjiah Davis, Commissioner
Deborah Wood Dorsey, Commissioner
Christopher Dyer, Commissioner
Thomas Fulton, Commissioner
Pierpont Mobley, Commissioner
Nimesh M. Patel, Commissioner
Nkechi Taifa, Commissioner
Michael E. Ward, Commissioner
Christine Warnke, Commissioner
Michael D. Woodard, Commissioner**

For the Commission Staff

**Dianne Harris, Hearing Examiner
Eli Bruch, Hearing Examiner**

**For the Office of Human Rights
Alexis Taylor, General Counsel**

I. Call To Order

Vice-Chair Mario Acosta –Velez called the meeting to order at 6:35 P.M.

II. Roll Call/Announcement of Quorum

Secretary Nimesh M. Patel called the roll; a quorum was present.

III. Approval of the Minutes

Commissioner Dyer moved to approve the minutes from the meeting held on March 13, 2008. By voice vote, the Commission approved the minutes.

IV. Presentation by on Enhancing Human Rights Oversight

Vice Chair Acosta –Velez introduced the guest speakers who were invited pursuant to the Human Rights Forum in December 2007.

Sarah Saleen and Richard Wilson from the American University Washington College of Law Human Rights Clinic presented on how the Commission can create a better framework for human rights. They identified two primary issues:

- 1) Budget constraints
- 2) Visibility constraints – low public awareness, even with policy makers

Their analysis included a two part review: First an overview of other Human Rights Commissions to develop strategies based on their experiences, and second they offered five suggestions on how to enhance human rights practices (see below).

Ms. Saleen explained how the U.S. has been a leader in establishing Human Rights Commissions, some have been in existence since the 1920s. The jurisdiction of such Commissions in the U.S. is often limited to anti-discrimination. Globally such Commissions are moving to embrace international human rights laws, for example in the U.K., New Zealand, and Australia. Even in the U.S., many Commissions are expanding their focus from civil rights to human rights. Ms. Saleen also provided an article about how international law can be used to promote human rights. The U.S. has passed three International treaties.

Resources include:

- 1991 UN Commission on Human Rights Paris Principles which provide best practices for Human Rights Commissions
 - Underscores that both national and local Commissions are essential parts of the framework
 - Recommends broadening focus to advise on trends and raise awareness
 - Principles can be used for guidance, to establish goals, measure effectiveness, and offer improvements
- DOJ guidelines on effective Human Rights Commissions

Eric Taris – Human Rights Staff Attorney with the National Law Center on Homelessness and Poverty, and has done work with the Columbia University Human Rights Institute. Working with the Human Rights Clinic on trying to bring a human rights framework to work around housing and homelessness issues in D.C. Believes that Human Rights Commissions can implement international standards at the local level. Each country must prepare a report on compliance with the International Treaties that it has ratified. The official report is glossy, so community groups often focus on areas for improvement. For example, the Berkeley Human Rights Commission issues its own report on racial discrimination. It is sent to the State of California and then to the State Department.

The U.S. brings a wide delegation to the International Committee meetings. The Illinois Commission on Human Rights sent one representative. There is a role for state and local Commissions to also implement treaties.

Treaties also require proactive government action. Hearing cases brought before the Commission is important, but the Commission can also address issues proactively. For example, the D.C. government can include a mandate for affordable housing and address gentrification. There is also a pending visit by Mr. Doudoudiene, the U.N. Special Rapporteur on Racism, Racial Discrimination, and other forms of related intolerance on May 18 and June 5-6.

Recommendations:

- 1) Self Education – Commissioners should familiarize themselves with the International treaties to more effectively monitor and make recommendations to government officials
- 2) Conduct Research – Produce reports on developments on human rights issues; create literature with non-governmental organizations (“NGOs”) on human rights issues
- 3) Public Dialogue – Provide forums for the community, NGOs, and government officials to discuss human rights issues
- 4) Trainings – Conduct “know your rights campaigns,” enhance the Commission’s website, including reporting cases
- 5) Develop Principles for the Commission – Establish goals and invite NGOs and government officials to assist

The presenters offered to work with the Commission to continue this dialogue. They also recommended getting summer interns to help with implementing these and other recommendations.

The International Human Rights Clinic at American University has 32 students and four professors. Half of this group works on human rights issues and the other half works on immigration issues. Immigration cases include those regarding detention and language access; human rights cases include those regarding issues such as Guantanamo Bay, criminal justice, and extradition. The clinic handles 10 cases at any time, almost all against the US.

Resources include the U.S. human rights network, which has many reports, and the National Employment Law Project.

Following the presentation, Commissioner Woodard made a motion to move to executive session. After brief discussion, Commissioner Dyer offered a friendly amendment to hold the executive session at the end of the meeting. Commissioner Woodard accepted the friendly amendment and Commissioner Ward seconded. The motion passed unanimously.

V. Director of the Office of Human Rights Report

As Director Gustavo Velasquez was unable to attend, the Director's update was submitted through a written report.

VI. Introduction of the Chief Hearing Examiner

Reserved for executive session.

VII. Commission on Human Rights Report

Hearing Examiner D. Harris directed the Commissioners' attention to the written report for the months of March and April. She also reported that there are 27 cases pending before the Commission. Since the last meeting, one case was closed and other was docketed. Two additional cases may settle or be resolved through summary judgment. Many of the other cases are in discovery. Hearing Examiner D. Harris also explained that some of the aged cases before the Commission are pending decisions. These cases had gone to hearing before former Chief Hearing Examiner N. Alexander. Given that at the time, he was the only Hearing Examiner, many of these cases need a proposed decision, final decision, or order.

Vice Chair M. Acosta –Velez also mentioned the upcoming Capital Pride Festival on Pennsylvania Avenue and requested volunteers to assist in staffing the booth for the Office of Human Rights. The Capital Pride Festival is the largest festival in DC.

Additionally, the Public Affairs Specialist in the Office of Human Rights is in process of being hired.

VIII. Report on the Budget Oversight Committee Hearing

Update at next Commission meeting.

IX. Discuss Possible Changes to the Human Rights Act of 1977 – Regulations

In preparation of updating the regulations which implement the DC HRA, Hearing Examiner E. Bruch stated that he conducted an analysis of the regulations for Human Rights Commissions across the U.S. The proposed changes are in draft form and will be available for the next Commission meeting.

General Counsel A. Taylor announced pending changes to Chapter 8 of the regulations based on discussions with many District agencies regarding policies for accommodating the special needs of transgender inmates and detainees. The Metropolitan Police Department and the Department of Corrections have legitimate issues, but the proposed amendment is a reasonable policy. Commissioner Wood Dorsey noted that this issue was intentionally not addressed previously. The main issues focused on housing and security.

Commissioner's Wood Dorsey, Patel, and Ward volunteered to serve on the subcommittee to review the regulations.

X. Old Business

None.

XI. New Business

None.

XII. Announcements

Hearing Examiner D. Harris announced that all Commissioner's should have received in the mail their annual financial report document that is required to be submitted by May 15.

XII Adjournment

A motion was made to move to executive session and seconded. A motion was made to adjourn and seconded, upon voice vote the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Nimesh M. Patel
Secretary